

## REMARKS

Initially, Applicant expresses appreciation to the Examiner for the courtesies extended in the recent in-person interview conducted with Applicant's representative. The amendments and remarks presented herein are generally consistent with the discussions during that interview. Accordingly, entry of this amendment and reconsideration of the pending claims is respectfully requested.

The Office Action, mailed May 3, 2007, considered and rejected claims 143-191. Claims 143-163 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.<sup>1</sup> Claims 143, 144, 146, 147, 149, 155-157, 161-165, 167-173, 176-185, 187-190 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Guzak* (U.S. Patent No. 5,838,319) in view of *Yagi* (U.S. Publ. No. 2002/0059288). Claims 145, 148, 150, 166, 186 and 191 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Guzak* in view of *Yagi*, and further in view of *Huang* (U.S. Patent No. 6,571,245). Claims 151-154, 158 and 174 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Guzak* in view of *Yagi*, and further in view of *Reilly* (U.S. Patent No. 5,740,549). Claims 159 and 160 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Guzak* in view of *Yagi*, and further in view of *Leong* (U.S. Patent No. 5,513,342).<sup>2</sup>

By this paper, claims 143-164, 173 and 190 have been amended, while no claims have been cancelled or added. Accordingly, following this paper, claims 143-191 remain pending, of which claims 1, 164, 189 and 190 are the only independent claims at issue.

As discussed in the interview, Applicant's claims are generally directed to methods, computer-readable media, and systems for allowing a user to easily find and select resources, even without being aware of the source location of the resource. As reflected in claim 1, for example, a method is recited for displaying a user interface for finding and selecting such resources, and includes displaying a top-level page. At the top-level page, and initially displayed thereon, are multiple categories. Each of the multiple categories includes a higher level category heading and a lower list of resources. The category heading identifies a relationship between each of the listed resources and has a link to a category page which includes links to resources which are related by the identified relationship. The relationship between the resources under the various headings, whether

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<sup>1</sup> As discussed during the interview, although Applicant believes that a user interface is a product, and thus an article of manufacture which is a statutory category of subject-matter, to expedite prosecution, Applicant has amended the claims to recite a method for displaying such an interface. Applicant is unaware of, and the Examiner has not cited, any support for the conclusion that user interfaces are non-statutory. Indeed, numerous patents have been issued directed to user interfaces.

<sup>2</sup> Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

in the list or on the category page, is unrelated to the source location where the resources can be found, and each includes a link by which a desired resource can be accessed. Accordingly, when the top-level page is initially displayed, a set of headings and a corresponding list of resources for the headings, are each displayed.

As discussed during the interview, while the cited references generally relate to providing user's access to resources, they fail to disclose or suggest a method, computer-readable medium, or system as reflected above. For example, the cited references fail to disclose or suggest wherein a top-level page is displayed and, at the initial display, multiple categories (including a heading and a corresponding list of multiple resources for each heading) are initially displayed, as recited in combination with the other claim elements. This is particularly so when considering that the multiple headings each include a respective list of resources which are unrelated to the source location of the resources.

For example, *Guzak* generally relates to the Windows Explorer™ system in which a tree view control provides hierarchical access to resources such as application programs. (*Abstract*; Fig. 2). In *Guzak*, a hierarchical tree of items for a particular volume (e.g., the C: drive) may be displayed. (See Fig. 2). The hierarchical tree is displayed with expandable and collapsible items, which includes icons to indicate whether the tree is in a collapsed or expanded state. (Col. 1, ll. 41-46; Col. 2, ll. 61-66; Fig. 2). Accordingly, *Guzak* discloses a system in which a hierarchical tree is displayed to display the contents of a folder, and in which the contents of the folder can be viewed by expanding the tree, and the contents can be hidden by contracting the tree.

While *Guzak* thus discloses a hierarchical tree, it fails to disclose a system in which the headings and a list of multiple, location-independent resources related thereto, are initially displayed upon view of the top-level page. Indeed, as disclosed in *Guzak*, the hierarchical tree is highly dependent on location (i.e., for a particular volume, sub-folders are located within parent folders, etc.), and in which the list of resources under a heading is visible after selecting an expand option. Thus, in contrast to the present invention, in which multiple, location-independent resources are displayed with a respective heading of a plurality of headings, and upon initial display of the page, *Guzak* appears discloses that upon initial display of the page, location-dependent resources are hidden in an expandable table and can be viewed only after user intervention.

*Yagi* is similarly deficient in this regard. Specifically, *Yagi* discloses a file handling system designed to improve the efficiency of file selection in a GUI environment. (*Abstract*). In one aspect, a file selection control screen is displayed from which a user can select a file to be opened. (¶ 81). A

separate settings page may further be used to specify the user's preferences for the file selection control screen. (§ 83). Such settings allow a user to specify certain files and folders which should always be displayed in the file selection control screen. (§§ 66, 67, 76, 83; Figs. 4B, 7B). The files are then identified in a window under the heading "Prespecified files", and the folders are identified in a window under the heading "Prespecified folders." (§ 83; Fig. 7B). Additional windows for recently accessed files and folders can also be included. (§ 83; Fig. 7B). If a user desires a file in such a window, the user can select the file to move the name of the file to a File Name field, and the file can be opened by selecting an Open button. (§ 84).

Accordingly, *Yagi* discloses that files and folders can be categorized as either pre-specified or as recently accessed and displayed in a corresponding window of a file selection control screen that is activated. Notably, however, *Yagi* expressly discloses that the pre-specified and recently accessed files are not included in an expandable, hierarchical tree such as that disclosed in *Guzak*. In particular, in Figures 9B-13, and the text related thereto, *Yagi* expressly considers a collapsible hierarchical tree such as that in *Guzak*. Notably, however, rather than add the pre-specified or recently accessed files to the hierarchical tree, *Yagi* discloses that the categories of pre-specified and recently accessed resources are each displayed separately, and without a file heading. (See Fig. 9B). Accordingly, should a user desire to access recently accessed files, the files are displayed independent of the hierarchical tree such as that in *Guzak*. Thus, inasmuch as *Yagi* expressly discloses that the recently accessed files are not incorporated in a hierarchical tree such as that of *Guzak*, and thus teaches away from the cited combination.

Nevertheless, even were *Yagi* and *Guzak* combined, the combination would still fail to disclose or suggest each and every element of the pending application. For example, as noted above, *Guzak* discloses an expandable hierarchical tree in which additional levels of resources are displayed upon user selection of an appropriate icon. Thus, were *Yagi* to be combined so as to include a list of recently accessed files within the hierarchical tree, the combination suggests that such list of files would be accessible in an expandable manner, such a list of files would be accessible only after user selection of an expand icon. Thus, at most, upon initial display of the user interface, a list of category headings is displayed, however the list of resources under each heading is not initially displayed therewith, and requires user intervention for display.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time.<sup>3</sup> It will be appreciated, however, that this should not be construed as Applicant `regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 6<sup>th</sup> day of July, 2007.

Respectfully submitted,



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<sup>3</sup> Nevertheless, Applicant further notes that with regard to claims 162 and 188, the cited references also fail to disclose or suggest wherein the user interface which displays the categories and lists of resources is displayed automatically, upon start-up of the operating system. Indeed, Windows Explorer is typically displayed upon user request for the application. Similarly, *Yagi* discloses that the categories of resources are displayed only after user selection of the appropriate window.